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Attorney for Third-Party Respondent
Match Group, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EPIC GAMES, INC.,
Plaintiff and Counter-Defendant,

vs.

APPLE INC.,
Defendant and Counterclaimant.

Case No. 4:20-cv-05640-YGR
Case No. 4:11-cv-06714-YGR
Case No. 4:19-cv-03074-YGR

**DECLARATION OF ADRIAN ONG
PURSUANT TO CIVIL LOCAL RULE 79-
5(e)(1) AND IN RESPONSE TO EPIC
GAME'S INC.'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF ITS EXPERT WRITTEN
DIRECT EXAMINATIONS PURSUANT TO
CIVIL LOCAL RULE 79-5(e)**

IN RE APPLE iPHONE ANTITRUST
LITIGATION

DONALD R. CAMERON, et al.,

Plaintiffs,

vs.

APPLE INC.,
Defendant.

DECLARATION OF ADRIAN ONG

I, Adrian Ong, declare as follows:

1. I am Senior Vice President of Operations at Match Group, LLC, which is a subsidiary of Match Group, Inc. In my position, I work closely with the Tinder brand, which is a division of Match Group, LLC. Match Group, Inc., Match Group, LLC, and Tinder are non-parties in the three above-captioned actions, and for the purposes of this declaration, I shall refer to them collectively as “Match.”

2. I have been employed by Match since 2011. Through the course of my employment with Match, I have become familiar with Match’s treatment of proprietary business information, such as that discussed in this declaration. I make this declaration in response to Epic’s Administrative Motion to Seal Portions of Its Expert Written Direct Examinations Pursuant to Civil Local Rule 79-5(E), Docket No. 491 (“Motion to Seal”). I know the facts stated herein based on my own personal knowledge and, if called as a witness, I could and would testify competently thereto.

3. I have reviewed Epic’s Motion to Seal and the Written Direct Testimony of Dr. David S. Evans (the “Testimony”). Specified portions of Dr. Evans’ Testimony should remain under seal for the reasons stated in this declaration.

4. I was deposed in in the above-captioned actions on February 24, 2021. I understand that, during my deposition, counsel for Match requested that my deposition testimony be designated Highly Confidential pursuant to protective orders entered in the above-captioned actions.

5. In paragraph 241 of his Testimony, Dr. Evans identifies what percentage of Tinder users opt to use Tinder’s payment system on Android devices as opposed to Google Play Billing. Dr. Evans could only have derived that information from documents produced by Match as part of this litigation and/or through my deposition testimony. Match considers this datapoint to be confidential and proprietary business information, which would give Tinder’s competitors insights into Tinder’s business that could place them at a competitive advantage. Particularly, disclosing this information to third parties—primarily to other app platforms such as Google’s Play Store, but also Tinder’s competitors—could be used against Tinder in its future business negotiations with those third parties. Further, releasing these numbers when Tinder’s competitors do not would allow those competitors

1 to selectively compete against Tinder where it is most competitively vulnerable, placing Tinder at a
2 competitive disadvantage. We request redacting the relevant sentence in paragraph 241 to read as
3 follows: "Tinder users chose Tinder's payment solutions over Google Play's for []% of transaction
4 revenues." This request is narrowly tailored to protect Match's confidential business information.

5 6. I declare under penalty of perjury of the laws of the United States of America that the
6 foregoing is true and correct. This declaration was executed this 3rd day of May 2021, in Dallas,
7 Texas.

8  DocuSigned by:
Adrian Ong
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